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Ginta D. Kukainis
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Philip Abromats
Thomas W. Cunningham
John S. LeRoy

**Registered
Patent Agents**

Mark D. Chuey, Ph.D.
Stephanie M. Mansfield, Ph.D.
Jeremy J. Curcuri
Robert C. Jones
Matthew R. Mowers
Matthew M. Jakubowski
Marc Lorelli

March 30, 2001

VIA FACSIMILE
(612) 340-2777
AND FIRST CLASS MAIL

Joseph W. Hammell
Dorsey & Whitney LLP
Pillsbury Center South
220 South Sixth Street
Minneapolis, MN 55402-1498

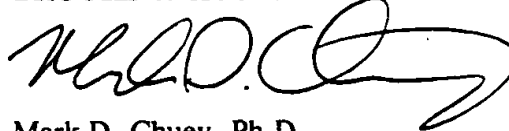
Re: U.S. Patent Application Serial No. 09/688,717
Filed: October 16, 2000
Our File No.: STK 98046 PUS

Dear Mr. Hammell:

Thank you for your letter dated March 29, 2001 and for forwarding the Declaration and Assignment for the above-mentioned patent application to Mr. Fiore. After reviewing my records, I have discovered that Mr. Fiore already has a copy of the above-mentioned application. The application, Declaration, and Assignment were sent to Mr. Fiore via certified mail on January 9, 2001. Mr. Fiore signed for this package on January 12, 2001. For your reference, I have included a copy of the receipt including Mr. Fiore's signature indicating he received the package. Thus, Mr. Fiore has had nearly three months to consider these papers.

In light of the ample review period granted Mr. Fiore, I will file under 37 C.F.R. § 1.47(a) indicating that Mr. Fiore has refused to sign unless I am provided with a good reason to do otherwise before April 7, 2001.

Very truly yours, —

BROOKS & KUSHMAN P.C.

Mark D. Chuey, Ph.D.

MDC/ap
Attachment

